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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/626,245

07/24/2003

Robert A. Nail

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09/07/2006

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EXAMINER

HOMAYOUNMEHR, FARID

ART UNIT

PAPER NUMBER

2132

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/626,245	Applicant(s) NAIL, ROBERT A.	
	Examiner Farid Homayounmehr	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/24/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/20/2003</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims **1-20** have been examined.

Information Disclosure Statement PTO-1449

1. Information Disclosure statement submitted by the applicant on 8/20/2003 has been considered. Please see attached PTO-1449.

Claim Objections

1. Claims 1 and 11 are objected to because of the following informalities:

In claim 1, the word "by" makes the claim hard to interpret.

In claim 11, the word "is" makes the claim hard to interpret.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1, 5 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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4.1. Claim 1 recites the limitation "the trusted registration process" in line 14. There is insufficient antecedent basis for this limitation in the claim. a "trusted registration procedure" is defined in two different parts of claims 1.

4.2. Claim 1 recites the term "factually" and claims 5 and 8 recite the term "client level". "factually" and "client level" are undefined.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Boyle (US Patent No. 5'940'591, dated August 17, 1999).

6.1. As per claim 1, Boyle is directed to a trusted collaboration data transmission process and protocol (col. 2 line 44 to 63), comprising; establishing one or a plurality of trusted participants a participant who desires to initiate and send or receive a trusted communication (items M or S in Fig. 2 and associated text); establishing one or a plurality of trusted representatives to act on behalf of the trusted participants (SNIUs as for example depicted in Fig 2 and associated text, also described in col. 2 line 63 to col. 3, line 26); performing a trusted registration procedure to create registry information and

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to establish a trusted relationships between trusted participants and trusted representatives (Col. 7 line 57 to col. 8 line 5 shows the Dialog Manager validates a user request based on user access list. This shows a prior registration between the user and SNIU to establish the list. Also validation of user data, performed by SNIU, requires registration and trust establishment); performing a trusted registration procedure to establish a trusted relationship among trusted representatives (Col. 8 lines 5 to 17 describes how SNIUs validate one another, therefore showing trust establishment); creating an identification card correlating to each of the trusted participants and each of the trusted representatives, during the trusted registration process (col. 10 line 27 to 32 describes delivery of the user data to SNIU for evaluation, indicating the set of user data required for user authentication was configured prior to actual transmission of user data); factually identifying a trusted participant as a sending participant through the sender identification card sent to a sender trusted representative, which is the trusted representative of the sending participant (col. 10 line 27 to 38); factually identifying a trusted participant as a receiving participant through the registry information of the receiving participant or the receiver trusted representative, which is the trusted representative of the receiving participant (column 10 lines 39-44); presenting the sender identification card to the sender trusted representative prior to or during a data transmission (Col. 10 line 27-38); authenticating the sending participant by examining and confirming the sender identification card (Col. 10 line 27-38. Note that per col. 5 line 29-35, and claim 31, authentication is one of the services provided by the SNIUs); replacing the sender identification card with a sender trusted representative

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identification card, if authenticated (col. 10 lines 39-65 describes how an association is setup between two SNIUs using exchanged certificates, which function as an ID card exchanged between the two SNIUs at the two ends of the association) and ; applying rules and policies to determine how to process transmission request coming from a non-trusted or unauthenticated participant (col. 6 line 65 to col. 7 line 8); blocking the transmission or processing the transmission without presenting the sender trusted representative identification card if sending participant is not authenticated (col. 10 lines 35-36); authenticating the receiving participant, if not authenticated, by either blocking the transmission or processing the transmission without presenting the sender trusted representative identification card, pursuant to certain rules and policies (each SNIU performs authentication of the hosts it is representing for purposes of sending and receiving data. See col. 4 line 45-47, confirming the receiver must be authenticated to prevent data to reach a host it is not meant for); processing the data transmission with or without a sender trusted representative identification card (col. 4 10 line 27 to col. 11 line 18 describes the processing of data transmission. If it is discovered at any point that the authentication or validation fails, the session is not established, but the data is processed); if a receiving participant of a data transmission is not an trusted participant, delivering the data to the recipient in its original format (when the receiving participant is not trusted, no association is created between communicating hosts. Col. 3 line 5 to 9 indicates that when the trust is not necessary, the two hosts will continue based on the underlying security protocols, which will deliver data between hosts with no certification of trust); if a receiving participant is a trusted participant and is under the same trusted

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representative as the sending participant, presenting the sender trusted representative identification card to the receiving participant; if the receiving participant is a trusted participant and is under a different trusted representative, presenting the sender trusted representative identification card to the receiver trusted representative; upon receipt, replacing the sender trusted representative identification card with the receiver trusted representative identification card (Fig. 2 and associated text describes communication intra each network type (the case where the sending and receiving participants have the same trusted representative) and communication between hosts in two different network types (case where the sending and receiving participants have two separate representatives). When participates belonging to the same network type, the exchanged certificates are from the same SNIU, and when participants are in two different network types, the certificates are from different SNIUs); acknowledging a data transmission by the receiving participant or receiver trusted representative end of a communication link by the receiving participant or receiver trusted representative (col. 7 line 58 to col. 8 line 5 indicates acknowledgement of data transmission as one of the functions of SNIUs); processing the data transmission; confirming the presence of the receiver trusted representative digital certificate in the transmitted data (col. 10 line 65 to col. 11 line 18); and confirmation comprising evidence that the data transmission is coming from a trusted entity (col. 10 line 65 to col. 11 line 18).

6.2. As per claim 2, Boyle is directed to the trusted collaboration data transmission process and protocol of claim 1, further comprising a multi-way communication during

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which the sending participant(s) and the receiving participant(s) switch roles during the communication depending upon whether the participant is initiating a data transmission or receiving a data transmission (As shown in Fig. 4A and associated text, the User Interface has Duplex and multicast ports, indicating that Boyle's system is clearly a two way communication system).

6.3. As per claim 3, Boyle is directed to the trusted collaboration data transmission process and protocol of claim 2, further comprising being implemented using computer hardware and software (Fig. 5A is one example showing computers, including software and hardware, are used to implement Boyles system. See also col. 11 line 18-50)).

6.4. As per claim 4, Boyle is directed to the trusted collaboration data transmission process and protocol of claim 3, wherein: the sending participant is a software application or an end-user client; the receiving participant is a software application or an end-user client; the sending trusted representative is a software component consisting of a set of rules and policy constructs; the processing logics of the enterprise controlling the sending participant; and the receiver trusted representative is a software component consisting of a set of rules and policy constructs; and the processing logics of the enterprise controlling the receiving participant (col. 2 line 42 to col. 3 line 40 and col. 5 line 18 to col. 8 line 37).

6.5. As per claim 5, Boyle is directed to the trusted collaboration data transmission process and protocol of claim 4, wherein: actions of the receiving participant and sending participant are initiated at a client level; and actions of the receiver trusted representative and sender trusted representative are initiated at a server level (col. 11 line 18 to 21 shows SNIU is implemented as a server. Fig. 1 shows users (clients) connected to the network via SNIUs initiate the communication as participants).

6.6. As per claim 6, Boyle is directed to the trusted collaboration data transmission process and protocol of claim 5, wherein the sending participant and the receiving participant are communicating over a computer network (Fig. 1).

6.7. As per claim 7, Boyle is directed to the trusted collaboration data transmission process and protocol of claim 3, wherein: the sending participant is an individual acting through a software interface; the receiving participant is an individual acting through a software interface; the sending trusted representative is software component consisting of a set of rules and policy constructs and the processing logics of the sending participant's enterprise; and the receiver trusted representative is a software component consisting of a set of rules and policy constructs and the processing logics of the receiving participant's enterprise (col. 2 line 42 to col. 3 line 40 and col. 5 line 18 to col. 8 line 37).

6.8. As per claim 8, Boyle is directed to the trusted collaboration data transmission process and protocol of claim 7, wherein: actions of the receiving participant and sending participant are initiated at a client level; and actions of the receiver trusted representative and sender trusted representative are initiated at a server level (col. 11 line 18 to 21 shows SNIU is implemented as a server. Fig. 1 shows users (clients) connected to the network via SNIUs initiate the communication as participants).

6.9. As per claim 9, Boyle is directed to the trusted collaboration data transmission process and protocol of claim 8, wherein the sending participant and the receiving participant are communicating over a computer network (Fig. 1).

6.10. As per claim 10, Boyle is directed to the trusted collaboration data transmission process and protocol of claim 1, wherein the trusted registration process to establish a trusted relationship between a participant and a trusted representative and between a trusted representative and another trusted representative is implemented using an intelligent client services software module resident on a participant PC and a TREM resident on an enterprise server (As defined by the specifications, TREM refers to the Trusted Remote Engine Manager software module, which comprises servers and services that perform the identification, registration, generation of identification card, inspection and validation services, as well as rules and policies enforcement and security auditing services, which are all performed by SNIUs as described above. The

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software performing actions requested by clients are apparently intelligent to handle the communication with SNIUs).

6.11 As per claim 11, Boyle is directed to the trusted collaboration data transmission process and protocol of claim 10, wherein: a registration server creates the registrant identification card, be it a individual participant or a remote trusted representative; the identification card comprises a set of structured information that is presented on a request for exchange or access; a configuration file is used for model definitions, which includes attribute definitions for the sending trusted representative and receiver trusted representative to compare to the sender identification card and receiver identification card; a data storage location for the sending trusted representative and receiver trusted representative to compare to the sender identification card and receiver identification card; the data storage location to store the trusted registry information; the registration server to authenticate incoming registry requests and to dictate the model; a security server to approve participant requests; and the intelligent client service allowing for dynamic data entry and trusted exchange for secured registration (as indicated in col. 10, lines 37 to 55, the association manager uses certificates to identify and authenticate the sender and the receiver. A certificate is a set of structured information, exchanged between the two communicating parties for positive identification. Configuration files determining the elements required for certificate and information exchange is well-known in the art. As the system is implemented on a computer system, it must have storage to save the processing data, including configuration files, registration and

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identification data. The registration, security and a system to perform client services are also included in Boyle's system as described above).

6.12. As per claim 12, Boyle is directed to the trusted collaboration data transmission process and protocol of claim 1, wherein the trusted registration process further comprising: creating a sender identification card correlating to the sending participant during the trusted registration process using an sender intelligent client services software module; and creating a receiver identification card correlating to the receiver participant during the trusted registration process using an receiver intelligent client services software module (see responses to claims 1 and 11).

6.13. As per claim 13, Boyle is directed to the trusted collaboration data transmission process and protocol of claim 12, wherein the sender identification card correlating to the sending participant is secured using a pass-phrase (col. 7 lines 37-50 shows a password is in one of the user access setting parameters).

6.14. Claims 14 to 29 are substantially the same as claims 1-13 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farid Homayounmehr whose telephone number is 571

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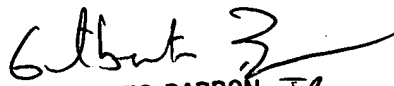
272 3739. The examiner can normally be reached on 9 hrs Mon-Fri, off Monday biweekly.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Farid Homayounmehr

Examiner

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